

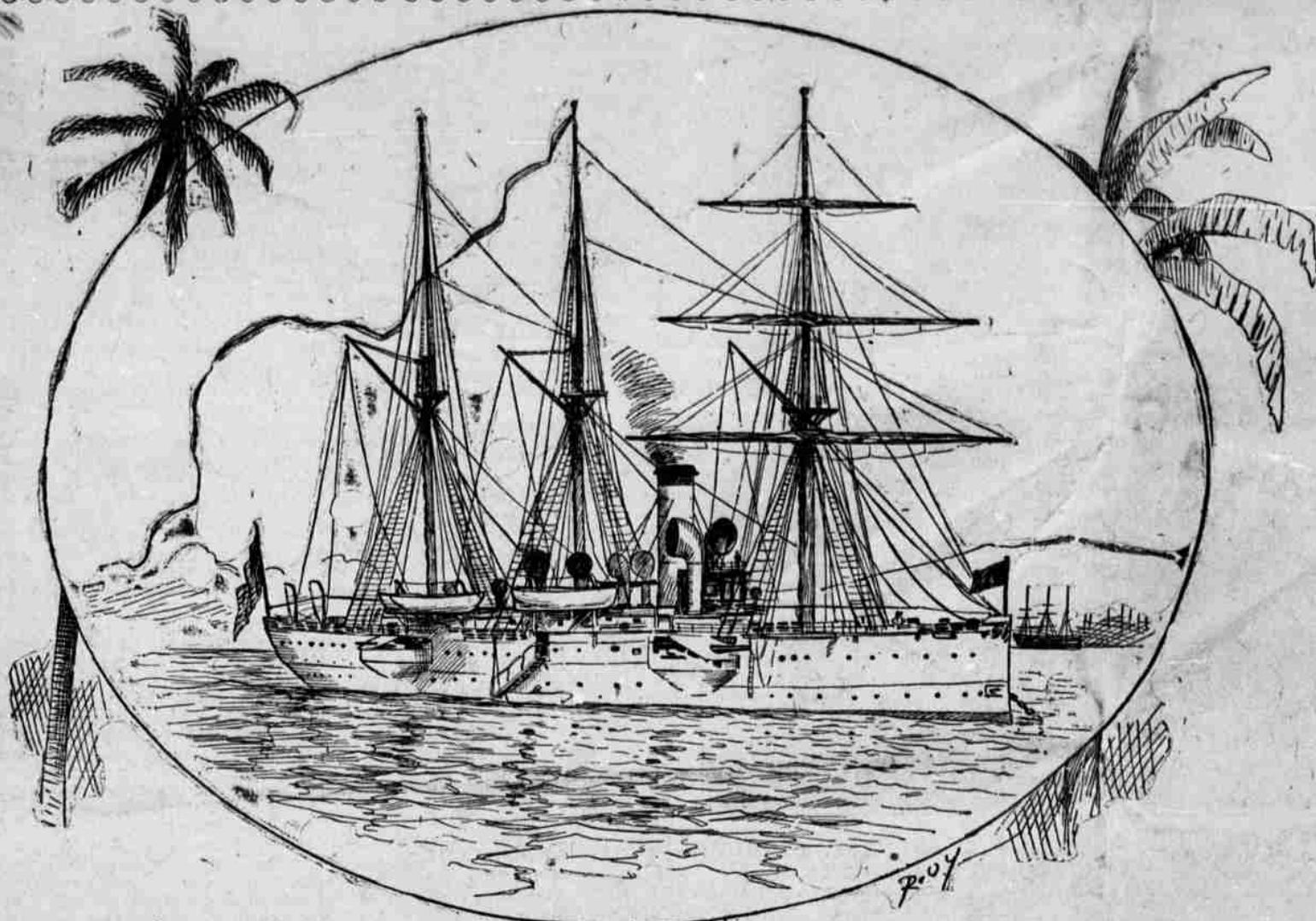
Hawaiian Gazette.

VOL. XXXIX, NO. 92.

HONOLULU, H. T., FRIDAY, DECEMBER 9, 1904—SEMI-WEEKLY.

WHOLE No. 2649.

PETREL COMES TO BE THE STATION SHIP



Pretty Little Modern Gunboat Will Remain at Honolulu for the Next Four or Five Months—Part of Her Glorious History.

Flashing her searchlight ahead of her to pick out the channel, the United States gunboat Petrel came slowly into the harbor of Honolulu last night and found rest beside the Pacific Mall dock at 7:15 o'clock.

"And we are mighty glad to get here and to know that we have found a home for four or five months at least," said Lieutenant-Commander Francis H. Sherman, in command of the vessel, as he saw her made fast to the wharf.

For the Petrel is to be station ship at Honolulu for that length of time, relieving the Iroquois. Maybe the Petrel will stay here even longer. And, whether she does or not, she represents the dawn of a better day for Honolulu, speaking in a naval sense. It is the purpose of the Government to keep better station ships here in the future and the Petrel is the first one of the vessels of the superior class to be assigned to this duty. The Iroquois is

to be sent away, presumably to the coast, but no one seems to know definitely. Perhaps she will be stationed at Midway, as it was reported some months ago that she would be, or she may find her next home at Guam. However that may be, she will leave Honolulu.

"We have been fourteen days coming from San Diego," went on Commander Sherman. "We have had good weather all the way. But as I said before we are all glad to get to a place where we can settle down comfortably for a few months—and think ourselves lucky that the place is Honolulu. We have traveled 22,000 miles in the Petrel within the past year. We began it in the spring when we went up to Sitka and got fat there catching and eating flounders. They have very fine flounders at Sitka. We had a good time there altogether, although it was a bit out of the world. From Sitka we have strayed along pretty nearly the whole Pacific coast and now our luck has culminated in being ordered to the pleasantest port in the Pacific. And it is not out of the world as Alaska is. Yes, we are glad to get to Honolulu."

The Petrel does not now come to the Islands for the first time. She was one of Dewey's glorious fleet at Manila Bay in the action on that memorable first day of May, 1898, that saw the power of Spain in the East Indies end in the bloody waters of Cavite. The Petrel, then stationed at San Francisco, was ordered to join the Asiatic squadron on the China station in the winter of 1896-7. It may have been that even when the work that squadron was destined to

(Continued on page 2.)

POLICE GO TO WAIALUA TO QUELL JAP STRIKERS

Four Hundred Riotous Laborers Threaten Serious Trouble, But are Quieted Without Doing Any Damage.

At precisely 8:45 last night High Sheriff Henry received a telephone message from Manager Goodale of Waialua plantation, stating that four hundred Japanese from one of the camps on the plantation, who had gone on strike for higher wages, had armed themselves with whatever they could get in the way of weapons and started for the other camp, where are quartered almost as many more laborers, with the avowed purpose of compelling the others to join the strike.

Sending out in hot haste for his mounted men, the High Sheriff chartered a special train on the Oahu railway, and in forty minutes had a posse of twenty men, well armed, under the command of Captains Parker, Leslie and Kanae, on the way to the scene of the trouble.

One hour and five minutes later, the Sheriff received word from the plantation that the posse had arrived there, and had started on a plantation train that was found awaiting them for the Japanese camp. That was remarkably quick work on the part of the police department, and remarkably quick work also by the railway people.

At 1:30 this morning a telephone message from Manager Goodale brought the information that all was quiet at the plantation, that there had been no violence and that half of the police were on their way back to Honolulu on a special train while the other ten would return on the regular morning train. The story of the disturbance was outlined by Mr. Goodale as follows:

"The strike originated among the loaders—the men who load the cane on the cars in the field. The others that have struck have done so out of sympathy. We have two camps of Japanese on the plantation, about 400 in one and 500 in the other. The 400 struck and as the other camp refused to join them, saying that they had no grievance against the managers, the strik-

THE CZAR'S SHIPS ARE DESTROYED

(ASSOCIATED PRESS CABLEGRAMS.)

LONDON, Dec. 9.—All Russian battleships, cruisers and gunboats in Port Arthur, with one exception, have been destroyed and the crews landed. No efforts were made to remove the vessels. The destroyers remain afloat and are receiving the enemy's fire. It is rumored that the Askold, which alone of the cruisers remains intact, is coaling, replacing her machinery and preparing to escape and join Rojestvensky.

THE PRICE OF VICTORY.

FUSAN, Dec. 9.—Gen. Nogi's remaining son was killed on 203-metre hill. His other son was killed on Nanshan hill. The General is left childless.

A PANIC ON THE STOCK MARKET SENDS SUGAR DOWN

NEW YORK, Dec. 9.—There was a panic yesterday in the stock market with heavy selling and general demoralization. American sugar declined six and three-eighths. Later there was a general recovery. During the panic 3,000,000 shares were sold.

THE PATTERSON JURY.

NEW YORK, Dec. 9.—The Nan Patterson jury has been completed for the second trial.

REFINED SUGAR ADVANCES.

NEW YORK, Dec. 9.—Refined sugar has advanced ten points.

MRS. CHADWICK FAILS TO GET BAIL AND GOES TO PRISON

NEW YORK, Dec. 9.—Mrs. Chadwick has been taken to the Tombs, being unable to secure bondsmen in \$15,000.

ELYRIA, O., Dec. 9.—The grand jury has voted to indict Mrs. Chadwick for obtaining money under false pretences.



GENERAL NOGI, THE JAPANESE COMMANDER, STUDYING A WAR MAP AT HIS HEADQUARTERS BEFORE PORT ARTHUR.

ADMIRAL WIREN, WHO COMMANDS THE PORT ARTHUR FLEET.



KOSEKI IS IN CUSTODY

Accused Jap Confesses That He Cut Suyetomo.

(From Wednesday's Advertiser)
"I have a row last night at Iwilei with Suyetomo, I cut him. Then I see my name in the newspaper this morning, and I know I could not get away. So I come in."

With these words, Koseki, the Japanese hackdriver who was believed to have stabbed Suyetomo to death on Monday night, delivered himself into the custody of High Sheriff Henry at the police station last night, shortly after dinner time. He had hailed a Japanese hackdriver who chanced to be passing along King street at the corner of Pilkot little earlier, and had told the man to drive him to the police station.

Now, as a matter of fact, the police had about rounded Koseki up before he found it expedient to surrender himself. Shortly following the tragedy at Iwilei, High Sheriff Henry posted men on all the roads leading out of town, and the High Sheriff himself kept close watch on the steamer Ventura, about to leave port. Besides, a detail of men conducted a systematic search through the Japanese quarter, and every Jap who was known to be friendly to the fugitive suspected of the murder found himself so kept under espionage that he could have extended no help to Koseki, even if he had been so minded.

The man looked as though he had passed rather a hard night when he came into the station. He was attired in a dark colored kimono, and not a great deal besides that, and had neither money nor tobacco on him. The kimono, however, was clean, showing that he had found a friend somewhere who had relieved him of his bloody garments, and his hair was combed although his face and eyes showed lack of sleep.

He was locked up in the tanks for a few hours, a charge of murder being entered against him, and a little later was taken to Oahu Prison for safe-keeping.

The murder of Suyetomo, a particularly brutal and bloody crime, seem to come as the sequel to a Japanese tragedy which occurred at Wailuku few weeks ago. The Wailuku affair resulted in the sending of one Hayashida to prison for a long term, the principal witness against him being Suyetomo, the man killed at Iwilei on Monday night. The slayer, Koseki, is said to be a friend of Hayashida. Koseki was one of those present at a sort of Japanese drink feast, given at the room of one Miyamoto, and upon the supply of drink giving out, remained at the rooms in company with the murdered man while the host went in town for more liquor.

That was the last time anybody saw Suyetomo alive—and the last time anybody is known to have seen Koseki until he walked into the police station and surrendered himself last night. When Miyamoto returned to his room from his trip after booze, he found the body of Suyetomo, naked to the undershirt and all covered with blood, lying on the floor, and the rest of his company vanished. He notified the police at once, being naturally much perturbed, and suspicion at once pointed to Koseki, who had had a row with Suyetomo earlier in the evening at that time striking the man who was later murdered with a beer bottle, cutting an ugly gash in his head.

The Deputy Sheriff yesterday morning found the knife with which Koseki is alleged to have killed Suyetomo. It was in the large open lot back of the row of tenements and was probably

SAM JOHNSON NOT INDICTED

Not Even Remote Chance That He Will Be.

"There is no indictment against Sam Johnson pending in this office," said Attorney-General Andrews yesterday, "and so far as the knowledge of the office goes, no likelihood of any. We have no knowledge of any charges of any kind against Captain Johnson."

The Attorney-General made this statement, in justice to Captain Johnson, because an afternoon paper had said that the name of Johnson had been mentioned in a paper submitted to the Grand Jury signed by Foreman Tucker. It is probable that the rumor grew out of the police court proceeding yesterday, wherein Johnson charged Frank Remillard with extortion in the second degree. Johnson's charge against Remillard is contained in the following affidavit:

"Samuel Johnson, of Honolulu, Oahu, Territory of Hawaii, being first duly sworn says: That on the 2nd day of December, A. D. 1904, one Frank Remillard of said Honolulu, and at said Honolulu by a certain man, to wit: by threatening to charge another, to wit, one Samuel Johnson, then and there being with a certain crime, to wit: that he be said Samuel Johnson, at a certain general election for senators and representatives held within and for the Territory of Hawaii, on the 8th day of November, A. D. 1904, did aid and assist a person to this affiant unknown to vote in the name of another person living, to wit: one Frank Remillard above named which said crime is an offence of a lower grade than a crime which is capital or which is subject to punishment by imprisonment for five years or more, to wit: said crime being punishable by imprisonment not exceeding two years unlawfully and feloniously did attempt to wrest and extort a thing of value from this affiant, said Samuel Johnson, to wit: money of the aggregate amount and value of seventy-five dollars, and did then and there commit the crime of extortion in the second degree."

As a matter of fact, among the eleven indictments returned by the grand jury yesterday, there were none that had any bearing upon the charges of irregularity in connection with the late elections, although it has been rumored that the inquisitorial body has been working on the election matter for a week past.

Kitcat in New Zealand.

Lady Herron, mother of Mrs. Judge Stanley of Honolulu and Mrs. Kitcat, wife of Canon Kitcat, formerly of this city and at present in New Zealand arrived yesterday on the Ventura from New Zealand and is at present the guest of Mrs. Danford.

Lady Herron has been in New Zealand for the past eleven months, residing with Canon and Mrs. Kitcat. Lady Herron states that Canon Kitcat has a very comfortable rectorate in an inland parish, and has jurisdiction over several churches. Both Canon and Mrs. Kitcat are in excellent health.

thrown there through the open window of the room.

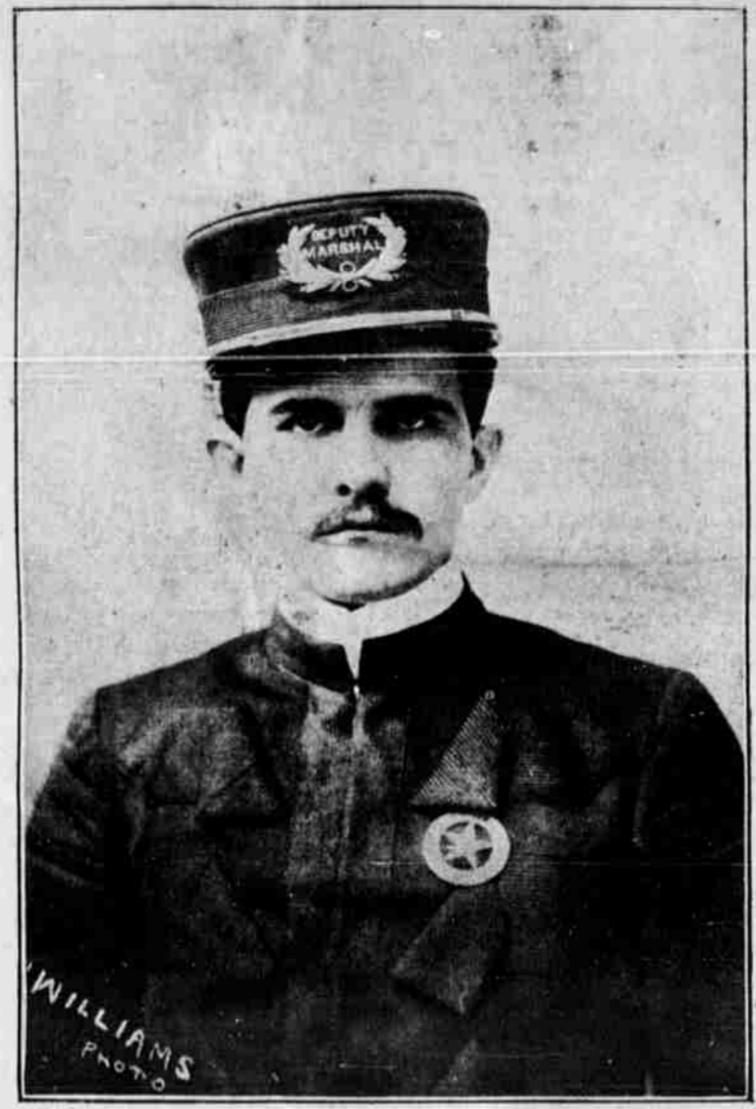
According to Koseki, Suyetomo is alleged to have said during their carousal that he had killed one man and that another was serving time for the deed in Oahu Prison, and that he could easily kill another.

The inquest was postponed and will take place this afternoon at 1:30.



KOSEKI, THE ALLEGED MURDERER OF SUYETOMO.

CHILLINGWORTH IS INDICTED BY THE GRAND JURY



EX-DEPUTY HIGH SHERIFF CHARLES F. CHILLINGWORTH, INDICTED FOR EXTORTION.

Three Charges of Extortion, One Jointly With Ahoo Against Late Deputy Sheriff. Other Indictments.

(From Wednesday's Advertiser)
The expected happened when the Territorial grand jury came into Judge Gear's court late yesterday afternoon and returned three indictments for extortion against Charles F. Chillingworth, late Deputy High Sheriff of the Territory of Hawaii, who resigned his office under fire a short time ago.

That is, the expected happened if town gossip is to be taken for anything. Everybody on the streets of Honolulu had been saying that Chillingworth would be indicted ever since the lightning came out of a clear sky and struck ex-detective Officer McDuffie with three indictments of receiving bribes as an executive officer. It was expected that the grand jury would return one or more indictments against Chillingworth on Monday, although it did not, and one of the evening papers hinted as strongly as it dared, under the law, that this would happen.

So strongly, indeed, was the rumor of the indictment circulated on Monday night, that it was even said the man now accused had himself been told of what was coming and that he would be in court with his bondsmen when the indictment was brought in. Mr. Chillingworth himself, asked about it, denied this story, but said that it was true that he had heard on the street that he was to be indicted. He was not in court, however, when the indictments came in.

The jury did not report on Monday. It was not so ready as street rumor. But it came into court yesterday afternoon, and presented Judge Gear with a batch of eleven indictments, all but one of these being assigned to the secret file, at the request of Deputy Attorney-General Peters. And then the buzz of rumor broke out again, while the clerk proceeded to issue the warrants under the indictments, and to notify the High Sheriff that the papers were ready.

Deputy Sheriff Rawlins went at once to Judge Gear's court room upon receiving the notification, and found his predecessor in office awaiting him. Chillingworth had followed the jury into court pretty closely. The arrest of the former Deputy Sheriff was a mere matter of form, and he was not in custody longer than it took for his bondsmen to qualify. Bail under each indictment was fixed at \$1000, and the sureties were accepted by the Judge. They are Alfred Hocking, Palmer Woods and Frank Kruger. As soon as the bond had been accepted, Chillingworth at once went on his way.

And then the buzzing began once more—but this time there was something more of a story to it than rumor had had to content itself during the week. The three charges against Chillingworth are, as before stated, extortion. This seems to set the cases entirely apart from the McDuffie matter. Chillingworth is indicted on the first charge jointly with J. Ahoo, the notorious Chinese汇报man. Ahoo, indeed, is notorious for more things than keeping a livery stable, if all tales be true.

The joint indictment of Chillingworth and the Chinese grows out of an alleged

TREES GROW DEFECTS IN FROM SEED LAND LAWS

Great Promise From One Rubber Plant On Maui. No Way to Compel the Prompt Payment of Taxes.

"There is a serious defect in our tax laws," said Governor Carter yesterday. "In that there is no way to compel the payment of taxes delinquent until the owner of the property gets ready to sell it.

"Say that a man has five hundred dollars to pay in taxes, and that he is hard pressed for money at the time, and cannot make the payment. Well, the 15th of November comes around, and the ten per cent penalty is imposed. And that is all there is to it. There is no way to force him to pay taxes, unless he should happen to want to sell the property, as I said before. The tax and the penalty are a lien upon the property. That is all."

"Now, in nearly all the states, when a tax penalty is assessed, the tax delinquent, with the added penalty, draws interest at a higher rate than would be charged by the banks if money were borrowed to pay the tax in the first place. There is a business like inducement to a man to pay his taxes. It is cheaper for him to pay what he owes to the government, even if he has to borrow the money to do it."

"There is a considerable degree of looseness in several of our land laws," the Governor went on. "For instance, when the Land Commission made its allotments in 1848, there were many claimants for land who were allotted tracts in which the government still had an interest. They were permitted to commute this government interest at the prices then allowed, in some cases very cheaply. And still, many of these commutes have not yet been made. And this notwithstanding the fact that they formed clouds on the titles to the reality in question."

"I have this morning signed a patent for a piece of land in which the government interest was only \$25, as the price of the land originally was assessed at \$100 and the government had a one-fourth interest. That land has since sold for \$8000. Now, it has taken that landowner since 1848 to clear off the cloud on his title, and all this time that money has been due the government and could not be collected. There are many cases like this, and much money outstanding that is due the government. Provision for the collection of these sums should be made."

FORMER HONOLULU BOY ELECTED TO COUNTY OFFICE

The Everett (Wash.) Weekly Herald speaks as follows of the brother of C. W. Booth, who was elected treasurer of his county by a large majority.

William R. Booth, who has successfully carried through his contest for the treasurership nomination, is a native of Honolulu. He came east to America in 1876, and landed in Snohomish county, twenty-one years ago. Mining has been his principal occupation, but at one time he was proprietor of the Hotel Exchange, in Snohomish. The years 1898 and 1899 were spent in Alaska. Mr. Booth went into the court house as a clerk under Treasurer Lawry in 1892, remaining there two years. He was also a clerk under Treasurer Mish in 1895-96, and was appointed deputy treasurer under Mr. Lawry three years ago. That position he still holds.



W. R. BOOTH.

(Continued on page 6.)

JUDGE GEAR LIGHTS OUT

Arraignments Are Made
Under Last Found
Indictments.

(From Thursday's Advertiser)

Arraignments of persons last indicted by the grand jury took place before Judge Gear yesterday morning.

Chas. F. Chillingworth, late Deputy High Sheriff, pleaded not guilty to the two indictments of extortion in small amounts. F. E. Thompson and G. A. Davis appeared for him.

With regard to the indictment against Chillingworth and Ahoo jointly, for extortion in the sum of \$1250, A. G. M. Robertson appeared for Ahoo and, after consultation between counsel for both defendants, the plea was reserved until Monday next.

Leon Renaut, represented by J. W. Catheart, pleaded not guilty to indictment for selling liquor without a license.

Kahilialau, indicted for murder in the first degree, having no counsel was allowed to reserve his plea until Monday. It is probable that the court will have to assign counsel for this old man, whose criminal record has been given by the Advertiser.

Henry Vierra, the lately discharged clerk of the Public Works Department, had his plea to extortion reserved by his counsel, F. E. Thompson.

DISPOSITION OF CASES.

There were no criminal cases ready for trial when defendants were called and asked if they desired trial this term. Judge Gear then ordered all criminal matters on the calendar prior to the latest indictments continued until the January term.

The trial of Emmett May previously set will come on before Judge Robinson, with Judge Gear's jury panel to draw from, at 10 o'clock this morning.

Hop Sing How's habeas corpus case was continued until Monday next, when the Attorney General will have made return for the High Sheriff. The petitioner is contesting his sentence for keeping a lodging house without a license. Judge Gear held the law unconstitutional in another case, and now Judge Robinson will pass on the question independently. Should his decision sustain the law, there will be a chance to let the Supreme Court finally settle the question.

The Parker guardianship case is continued until January 4 at 10 a. m.

The Rubinstein-Hackfeld injunction suit relative to the Little Joker tobacco agency is set for January 16 at 10 a. m.

JUDGE GEAR'S FLITTING.

Before hastening out to board the transport Sheridan for San Francisco, Judge Gear wrote and signed the following order:

"In the Circuit Court of the First Circuit, Territory of Hawaii. At Chambers.

"It is hereby ordered that all matters now pending before me at Chambers, excepting cases on trial and not concluded, be transferred to the Hon. W. J. Robinson, Third Judge of the Circuit Court for the Territory of Hawaii.

"GEO. D. GEAR."

JUDGE ROBINSON PRESIDES.

Judge Robinson takes charge of criminal matters remaining of the present term, under the following order signed by the three First Circuit Judges yesterday:

"It is hereby ordered that from and after Wednesday, December 7th, A. D. 1904, Hon. W. J. Robinson, Third Judge of the above-entitled Court, be and he is hereby designated and constituted Presiding Judge of the above-entitled Court for and during the remainder of the September, A. D. 1904, Term of this Court, in the place and stead of the Hon. George D. Gear, Second Judge of said Court."

DIFFERENT CASE ENTIRELY.

Judge Robinson made an order overruling the plea in bar of defendant in the covenant suit of Chung See vs. Kahau Meek. It discusses the legal points at length. The plea in bar set up a judgment in the case of Kahau Meek vs. Chung See and J. R. Mills, for an undivided half interest in the premises involved and \$156.56 damages and costs, as an estoppel. That judgment was on the strength of a paramount title. Chung See is now suing for breach of covenant in a lease which was assigned to the present defendant, who was plaintiff in the lawsuit just mentioned, claiming damages for the curtailment of tenancy and the value of improvements.

The court finds that "a judgment against a defendant is not conclusive as to a setoff or counter claim which he might have pleaded to an action. In the absence of a statute a defendant having a cross-demand against the plaintiff may, at his option, either use it in the pending suit as a setoff, or reserve it to be used as the basis of an independent action. This failure, therefore, to plead it does not preclude him from bringing a subsequent action for it." The order concludes:

"The case at bar presents an entirely different cause of action from that presented in the former case, the judgment in which is relied upon as a bar to the present action, and in my opinion such judgment operates in the case at bar, as an estoppel only as to those matters in issue or points of controversy which were actually litigated or decided in the former action and upon which the judgment therein was based."

"It is ordered that the defendant's plea in bar be and the same is hereby overruled."

THE HOLT ESTATE.
Judge Gear signed an order appointing Carlos Long in place of Henry Smith, resigned, as administrator de bonis non cum testamento annexo of R. W. Holt, who died on or about some day in November, 1882, under \$20,000 bond. The estate is stated in the order to be of the value of \$110,000. George A. Davis represented the petitioner.

HABEAS CORPUS DENIED.

In the case of Fukunaga, the Japanese fisherman imprisoned in default of paying a fine of \$50 and costs for fishing within the bounds of the Honolulu fishery, Judge De Bolt yesterday rendered an oral decision holding that the judgment of the lower court was valid. He therefore ordered the writ of habeas corpus dismissed and the petitioner, Fukunaga, remanded to the custody of the High Sheriff.

Geo. A. Davis, attorney for petitioner, gave notice of an appeal to the Supreme Court. Fukunaga was released under his former bond of \$50, S. M. Ballou for the prosecution making no objection.

The ground of the petition for the writ was that the United States Congress, in the Organic Act, had repealed the proprietary fishery laws of Hawaii. At the trial before District Magistrate Hookano of Ewa, proof was given that the O. R. & L. Co., owning the Honolulu fishery, had taken the steps required by the Act of Congress in question to establish its vested right in the fishery, the Act excepting from its operation such sea fisheries as might be held under vested rights.

THE DISPUTED CONTRACT.

C. S. Holloway, Superintendent of Public Works, and J. H. Fisher, Auditor, answer the complaints of Lord & Belser, contractors, against John Walker, contractor, and themselves. They deny that Walker's bid for dredging the Alakea street slip was not accompanied by a certified check of 3 per cent of his proposal and that the paper filed by Walker was not a certified check within the meaning and intent of the advertisement for bids. Also, they deny that the contract is null and void and contrary to law and the awarding thereof to the said John Walker as set forth in said contract was illegal and unfair and will result in irreparable injury to the complainants herein as well as to all other taxpayers of the Territory, and will deprive said complainants of their right of fair, equal and impartial competition under the law of bidding on public contracts."

COURT NOTES.

Caroline Teves, widow, petitions that she be appointed administrator of the estate of her late husband, Eduardo Jose Teves, which is valued at \$1829.50 and consists of certain leaseholds with improvements, excepting an item of \$299.50 as the value of 25 shares in the Phoenix Savings, Building & Loan Association.

Charles Clark, attorney for plaintiff, has filed a discontinuance of the assault suit of Allen & Robinson vs. Frederick W. Knight, defendant, and Carl Du Roi and William Wolters, garnishes.

Albert Barnes vs. C. R. Collins, bill for dissolution of partnership and accounting, was argued before the Supreme Court yesterday morning. Whitley and Clemons for plaintiff; Dunne for defendant.

INTERESTS OF TERRITORY AT WASHINGTON

Ship Subsidies -- The Postoffice -- Rivers and Harbors -- Secretary Atkinson -- New Territories Committee -- Carter's Report -- Cabinet Changes.

(Mail Special to the Advertiser.)

WASHINGTON, D. C., Nov. 21.—The session here this week of the Commission of Congress that has been conducting an inquiry about ship subsidies will probably be followed by interesting recommendations to Congress. These recommendations, as learned from inside sources, are not calculated to please owners of shipping on the Pacific. The inside word here is that the Commission contemplates recommending a subsidy in the shape of liberal compensation for carrying mails and also a tariff rebate over an improvement of the channel in the Delaware river to the sea, wants Congress to make an appropriation without a preliminary survey. Several delegations have been over here before the War Department and others will come before the Committee as soon as it is organized for hearings.

SECRETARY ATKINSON.

As far as can be learned Secretary Atkinson, of Hawaii, has not yet reached Washington. He was heralded from San Francisco in dispatches stating his errand and the mail from the steamer on which he came to California, reached here night before last. It is supposed that Mr. Atkinson stopped for a few days en route and that he will probably be here before the next mail leaves.

NEW TERRITORIES COMMITTEE.

As a result of the recent election there will be a Territories committee of many new members in the next House of Representatives. As this is the committee that handles most of the Hawaiian legislation that reaches the House the changes are of more or less interest in the islands. Fortunately, most of the strong members of the committee remain and doubtless will be reappointed by Speaker Cannon when the committee are made up a year from now.

There will be no change, of course, at the session this winter, the committee remaining as constituted a year ago. Ex-Gov. Powers of Maine, one of the most useful men of the committee, was re-elected at the September voting in the Pine Tree State. William H. Jackson of the Eastern Shore district in Maryland, who, however, was not a very active member of the Territories Committee, was the only Republican renominated in the United States that was defeated by a Democrat. Representative Burleigh F. Spaulding, a Republican member from North Dakota, was not renominated. He, too, was a very useful member and devoted considerable time and attention to Hawaiian legislation.

On the Democratic side of the committee table, the Territory loses two very good friends—Representative J. M. Robinson, of the Fort Wayne, Ind., district, and Representative John R. Thay-

er.

THE POSTOFFICE.

Mr. William Haywood, who has been watching the rivalry for the postoffice appointment, said today that the endorsement of Gov. Carter would undoubtedly decide it. Whenever an important Hawaiian appointment comes to him for decision, the President almost invariably wants to know what Gov. Carter thinks about it or what Carter has recommended. In nearly every case Carter's recommendation decides.

RIVERS AND HARBORS.

Mr. Haywood has prepared exhaustive data and other information for pres-

**HAWAII'S NEEDS APPEAR
IN PRESIDENT'S MESSAGE**

WASHINGTON, D. C., Dec. 6.—President Roosevelt's message was read in both Houses of Congress today. The President advocates liberal appropriations and warns Congress against extravagance.

On capital and labor he claims that both are entitled to equal protection and both must obey the laws.

He holds that the National Government should control the great corporations and that railroad rebates must stop.

Agriculture, irrigation and forestry should be promoted by every means possible and the message is strong on the needed improvement in the Consular Service.

A national quarantine law is deemed desirable.

On the financial question the President holds that silver should be redeemable in gold.

He favors the advancement of the merchant marine, development of Oriental markets, regulation of immigration, revision of the naturalization and citizenship laws, protection of the purity of the ballot, an Alaskan Delegate, a peaceful foreign policy, an efficient army and navy, international arbitration, protection of Americans abroad, continuance of the present policy with lower tariff rates for the Philippines.

Dealing with Hawaii the President recommends that the Governor be given the power to remove subordinates, appropriations for the dredging of Honolulu harbor, and the study of leprosy by the Marine Hospital Service.

The tariff is not mentioned.

PRESS COMMENT FAVORABLE.

LONDON, Dec. 7.—Press comment on the President's message is extremely favorable in character.

HAWAIIAN NOMINATIONS.

WASHINGTON, D. C., Dec. 6.—The nominations of Chief Justice Frear, Associate Justices Hartwell and Hatch and Circuit Judges Matthewman, Parsons and Hardy were sent to the Senate today for confirmation.

TERRITORIAL ESTIMATES.

WASHINGTON, D. C., Dec. 6.—Secretary Shaw has sent Congress the estimates made by Governor Carter for dredging Honolulu harbor at \$250,000, refund to the Territory \$175,022, one million dollars for Honolulu Federal building and a million for Hilo Federal building.

APPENDIX TO ESTIMATES.

WASHINGTON, Dec. 7.—The letter sent by the Honolulu Chamber of Commerce appears on the appendix to the estimates of expenditures submitted to Congress by Secretary of the Treasury Shaw.

er, of the Worcester, Mass., district. Mr. Robinson who has represented a close district for many years was overwhelmed in the Republican landslide. He has frequently championed Hawaiian measures in the House and has done the Territory many favors from time to time. Mr. Thayer, while less active, was regarded as a man of splendid sense, whose word carried great weight with the House. He has been coming to Congress from a district, normally Republican and this year refused a renomination. His successor is Gen. Rockwood Hoar, son of the late Senator Hoar.

In the next Congress there will probably be a Republican or two more on the Territories committee, than now, because of the increased Republican vote in the House. There is no way of telling now, and probably will not be for a long time to come, what the personnel of the new Committee will be.

SENATE COMMITTEE CHANGES.

There will also be important changes in the Senate Committee on Pacific Islands and Porto Rico, which handles Hawaiian legislation at that end of the Capitol. Senator Foraker will remain chairman, just as Representative Hamilton will probably remain chairman of the House Territories Committee. Senator Depew, of New York, the second Republican on the committee, may be reelected, but that is not certain yet. Addison G. Foster of Washington State, who has been more or less active in Hawaiian matters and was a member of the Commission that visited the islands, will probably not be reelected. Thomas Kearns of Utah, who never paid much attention to the work of the committee, will almost surely be succeeded by some other Republican, as things are understood here. Then there is Senator Burton of Kansas, under sentence of fine and also of imprisonment, who does not return to his seat, unless the Supreme Court sets aside the verdict of the court at St. Louis. On the Democratic side the Committee loses an influential senator in the person of Mr. F. M. Cockrell of Missouri. He went under unexpectedly and will be succeeded by a Republican. Mr. Cockrell never gave special attention to Hawaiian legislation but nevertheless was very influential in opposing or assisting bills through the senate.

GOV. CARTER'S REPORT.
At the Interior Department this afternoon, it was stated that Gov. Carter's report, sent to the islands a second time for correction, has now been finally returned. It has been sent to the Public Printer and, according to expectations, will be released for publication within a few days.

The officials at the Department are awaiting the coming of Secretary Atkinson. They have not yet gone into preliminary matters in connection with the sale of bonds.

CABINET CHANGES.

It is not improbable that under the next administration of President Roosevelt there will be a new Secretary of the Interior. A good deal has been printed about the prospects of Secretary Hitchcock resigning and also about the prospects of his remaining in the cabinet. The facts are the President does not know for sure yet whether he will retain Mr. Hitchcock or not. As the Secretary of the Interior supervises and handles practically all the business of the Federal government with the Territory of Hawaii he is the most important member of the cabinet to the islands. The President has decided upon all the other new members of his cabinet excepting the Secretary of the Interior and the Secretary of the Treasury, having today announced that Attorney General Moody would remain.

Mr. Hitchcock has been a pretty good friend of the Territory and has shown a disposition to be fair in all his dealings with Territorial officials. There is some talk about electing him Senator from Missouri, but it is said to be somewhat doubtful whether he could command a majority of the legislature. There are two or three other men, very influential in Republican politics of Missouri, whereas Secretary Hitchcock never has been very strong with the practical politicians. No name has been suggested as his successor, although it has been thought that possibly Mr. Francis E. Leupp, Washington correspondent of the New York Evening Post, whose appointment as Indian Commissioner to take effect January 1 has just been announced, might possibly be promoted. He is an intimate friend of the President and stands high with his profession. There is one Washington newspaper correspondent now in the cabinet—Postmaster General Wynne—but it is certain that Mr. Wynne will not remain there after March 4, because the place was promised to Chairman Cortelyou several months ago. Mr. Wynne, however, will be cared for.

ERNEST G. WALKER.

OIL FOR THE BODY

You can't lose an atom without feeling it. The body is like an engine, a watch, a machine; must be kept in good order to run right.

That's the reason Scott's Emulsion is so successful in all wasting diseases. It feeds, nourishes and strengthens when ordinary food won't.

Doctors say Scott's Emulsion is the best nourishment for those who are not as well as they should be.

We use the whole oil in Scott's Emulsion because the great reputation of cod liver oil as a food and medicine was made by using it in this way. Substitutes in the shape of wines, cordials, extracts, etc., should be carefully avoided.

We'll send you a sample free upon request.
SCOTT & BOWNE, 409 Pearl Street, New York.

WOULD END SEGREGATION

**System of Forty Years
Attacked By Law
Proceeding.**

(From Thursday's Advertiser)

C. W. Ashford yesterday filed the petition of Emma L. Kaipu for a writ of habeas corpus in behalf of her mother, Mikala Kaipu, to secure her release from the custody of the Board of Health at Kalihii receiving station. Judge Dole ordered process to issue, returnable before him at 10 o'clock this morning. The writ is directed to L. E. Pinkham, President of the Board of Health, upon whom it was served by F. L. Winter, Office Deputy Marshal, immediately after its issuance.

Mikala Kaipu, the subject of the petition, is stated by her daughter to be of the age of 47 years or thereabouts. Her home is at Lihue, island of Kauai, and she is alleged to have been forcibly and against her will arrested in the city of Honolulu about two months since, taken immediately to the receiving station and there ever since confined. The petitioner represents that she makes and verifies the petition on behalf of her mother, for the reason that her mother is closely confined at the receiving station and unable to act for herself in the matter. She alleges on her belief that she would not be permitted by Pinkham or his subordinates to visit the said Mikala Kaipu, for the purpose of obtaining her signature to the petition, and further that she fears Pinkham and his subordinates will forcibly remove her mother from the island of Oahu and transport her to the leper colony at Molokai "within a very few hours from the date of the verification of this petition unless he, the said Pinkham, and his subordinates shall be restrained from such action through the medium of a writ of habeas corpus to be issued in this behalf for the production of said Mikala in court."

It is declared by the petitioner, on information given by her mother, from which and from personal inspection and observation she believes, "that her said mother is not in fact afflicted with the disease of leprosy, and is not a leper, and is not and never has been legally subject to condemnation and transportation as a leper, even though the pretended laws, rules and regulations in that behalf, now generally in force in the Territory of Hawaii were and are constituted and otherwise valid in point of law."

Thus far the complaint is a specific one regarding the subject individually, but what appears in portions of the petition quoted below is an attack upon the system of segregation of lepers followed, more or less strictly, in these islands for about forty years past

Hawaiian Gazette.Entered at the Postoffice of Honolulu,
H. T., Second-class Matter.SEMI-WEEKLY,
ISSUED TUESDAYS AND FRIDAYS.

WALTER G. SMITH, Editor.

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A. W. PEARSON,

Manager.

FRIDAY : : DECEMBER 9

CHILLINGWORTH INDICTED.

The Grand Jury has indicted Charles P. Chillingworth for extortion, charging him with having, while Deputy High Sheriff, conspired with one Aho to force the payment of \$1250 from a Chinese whose domestic arrangements were amenable to Federal law.

Comment upon the matter must necessarily be reserved at this time, but every honest citizen has cause for satisfaction in the manner with which grand juries are doing their duty. So far as they go they mean to compel an accounting from men whom they believe to have gone wrong, especially in the conduct of public offices.

If a quarter of what has been said about the methods of the late police authorities is true, the indictment of Mr. Chillingworth was a logical sequence. As to that the trial will tell. There are many people, knowing Mr. Chillingworth's agreeable qualities and remembering him as a brave officer, who hope that he will be able to prove his innocence. But the responsible public demands a trial which will be as fair to the Territory as to the prisoner.

DISCIPLINING THE SOUTH.

The bill introduced by Senator Platt for reducing the South's representation in Congress has been foreshadowed by various Republican threats during the past few years. While it is a purely sectional measure it is a just one, because if the South will not permit a large part of its adult male population to vote it should lose the Congressmen whom it gained on the basis of that population.

Still the case of the South is very hard indeed. Congress, in the excitement of the war period, enfranchised a class of the South's population which needed centuries of civilization behind it to fit it for the use of the ballot. The act brought negroes into power over the whites and they turned the South into a hell. Finally, in sheer self-defense, the whites came down upon the blacks and drove them from the polls. They would not have been at white men had they done anything less. As a result the South became peaceful and in the main orderly and began to progress like the rest of the country. This progress, as everybody knows, would instantly stop if negro governments were to be restored. So strongly does the North realize this that it has long since ceased to demand political equality for the black man and it is careful itself never to elect one to office.

No doubt the South will feel much bitterness over the loss of Congressmen, but there seems to be no help for it. Under our political system any section of the country is entitled to as many Congressmen as it has votes to support; and when votes are eliminated "representation in Congress must be proportionately reduced"—we quote from the Republican national platform—"as directed by the Constitution of the United States."

The only way out for the South seems to be to fill up its vast unoccupied spaces as the North did, with white immigrants from Europe. The South has never been favorable to this course, but there is no other way in which it can maintain a strong influence in the national councils and keep up with the American procession.

AS TO PEARL HARBOR.

An evening paper asks why it is that the interests of Pearl Harbor are not pressed by the Naval Board of Strategy and suggests that the present authorities may not agree with their predecessors as to the value of a naval station here.

Service periodicals have already shown what the matter is. The Navy wants to fortify three stations in the order named, Subic bay, Guantanamo and Pearl Harbor, one to secure the Philippines, another to command the West Indies and the canal, the third for the outer defence of the Pacific coast of the United States. A division of the fund available would not bring results to any one place for many years; so the program is to finish appropriating for Subic bay first. If Hawaii had any influence in Congress it might, perhaps, secure larger appropriations, out of which Pearl Harbor could get something.

Has anybody ever heard of an American small farmer, even those epididemic ones who braved the danger of the prairie and settled the great west, starting a farm two thousand miles from a market to which freight rates were almost prohibitive and transportation facilities limited?—Star.

Most assuredly. Kula small farmers helped feed the California miners in 1849-50. Men who started little sugar plantations after that, faced precisely the difficulties which the Star imagined to exist now. Up to 1868 California wheat farmers were further from a market than Hawaiian pineapple and sisal farmers are now and it cost them more to get there. What's the matter with the Star, anyhow?

THE SAVINGS OF THE PEOPLE.

The total deposits in all the savings banks of the world, according to latest official information received by the Department of Commerce and Labor through its Bureau of Statistics, amounted to over \$10,500,000,000, contributed by 82,640,000 depositors. Of this total the United States shows aggregate deposits of \$2,068,179,000, credited to 7,365,000 depositors. As the figures used in arriving at the grand totals cover about one-half of the population of the world, viz., over \$70,000,000, it appears that the United States, with less than nine and one-half per cent of the total population considered, contributes over twenty-nine per cent of the total savings deposits recorded. Of the total number of depositors, or rather deposit accounts, the share of the United States is somewhat less than nine per cent, while the average deposit per account is more than four times and the average savings per inhabitant more than three and one-half times the corresponding averages for the rest of the world.

It is interesting to note that in Europe and even in Canada the functions of the government in this field are larger than in this country, where the state restricts itself merely to formulating the general legislation pertaining to the subject, sanctioning special charters for the creation of savings banks, and controlling through special officers the proper workings of said banks. The European governments in many cases have shown greater interest in this mode of popular saving, either by guaranteeing the safety of deposits or by instituting government institutions, chiefly postal savings banks, for the receiving and managing of savings deposits. In some countries, such as Russia, Bulgaria, and Roumania, the lack of private initiative and the preponderating influence of the State in the entire economic life of the nation have caused the development of public savings banks to an almost exclusive extent; in other countries, such as Germany, Switzerland, and France, the local public bodies, such as the communes or cantons, from the very outset invited and fostered the deposits of small savings by establishing municipal savings institutions. Wherever the central government is in immediate, though not exclusive, charge of the savings service, as in the United Kingdom, Belgium, and Russia, parts of the deposits are invested in government securities, so that the public savings institutions there serve the double purpose of providing a safe investment for the capital of the less well-to-do and commercially inexperienced class of the population, as well as of strengthening the public credit of the country by attracting investments on the part of such classes, which, left to their own initiative, might not choose this, or for that matter any other mode of investment.

The common feature of all savings banks, no matter how organized, is that they are not working for profit, the underlying idea being rather to make the deposits as secure as possible. This results naturally in an interest rate on deposits considerably below the normal commercial rate prevailing in the respective countries. The figures as shown in the table below reveal different degrees of what might be termed the "saving capacity" of the different nations, though it should always be borne in mind that the amounts deposited with savings banks by no means represent the only savings of a nation. Another factor which makes comparisons difficult is the fact that apart from differences in legislation, leaving to these institutions a greater or smaller latitude of freedom of investment, the regulations regarding the maximum amounts which may be credited to one individual vary according to country, and that therefore the average size of the savings deposit casts but little light on the general prosperity of the people and the more or less equitable distribution of wealth among them.

The general social conditions of a country, the spread of general education and "banking" habits among the masses, existing facilities of communication, the ease and lack of formalities with which savings are made, and last but not least the use made by the population of other modes of saving—all these factors have to be considered when international comparisons of savings statistics are attempted. To give but a few examples: The total savings deposits of France, as stated in the table below, appear less than those of Austria, while the aggregate savings deposits of Prussia are shown to exceed those of France by almost eighty percent. Any conclusions with regard to the relative prosperity of these countries based on these figures would be erroneous, as in France the savings banks deposits constitute but a part, and by no means the larger part, of the total savings of the nation. As a matter of fact, the investments of the French people in Russian public bonds during the most recent period only, not to mention the holdings of the enormous national debt at home, according to the most conservative estimates exceed by far the amounts deposited in national savings institutions. In the case of Austria the figures given are somewhat misleading, since the postal savings banks there are engaged in the general banking business, the amounts reported as ordinary deposits exceeding those reported under the head of savings deposits.

Apropos of his latest move in court, C. W. Ashford, 17 years ago on June 30, stood on public platform in a volunteer uniform, with rifle and cartridge belt, to protest with armed force against slackness in enforcing the segregation law, which was one of the stated causes of the revolution that came to a head that day.

The automobile has come to Honolulu to stay.—Evening paper.

So it has, but it cannot be permitted to make the streets dangerous for those who use them most.

Why this sudden departure of Judge Gear the moment his friend Aho needs sympathy.

THE CALIFORNIA PARALLEL.

How long did the Kula small farmers last in the California market? How were they driven out of it? And what did California wheat growers amount to "up to 1868" in comparison with what modern conditions and railroads made them? How would a wheat farmer, as far from a market as they were "up to 1868" succeed now, under the difficulties they had?—Star.

Kula farmers lasted as long in the California market as there was a demand for their staples. If Hawaiian farmers last as long as there is a market for the sisal, rubber, tobacco, pineapples, bananas and wine they could raise and make it be plenty long enough for the Advertiser. California wheat growers did not amount to so much in the early years of their work as they did after they had demonstrated what the soil could do and raised enough salable commodities to induce the transportation men to come after them. That kind of development is needed in Hawaii, substituting tropical products for wheat.

Because California wheat farmer could not do well now without ample transportation, does not prove that the Hawaiian rubber, sisal, tobacco, pineapple, banana and wine-grower could not make a profitable start with the transportation facilities he may now command.

And by the way: When sugar began to be planted here what was the market and the means of reaching it?

THE MERRY DAYS BEFORE THE FALL.

One of the "loveliest social events" of the past few years has been the continuous luau given by Aho to the police, with Judge Gear as a special guest. The press, with the exception of the Advertiser, was usually invited, and while this paper cannot speak personal experience of the feasts it understands that they were—as the social reporters say—"entirely recherché and attended by the *creme de la creme* of official life." Aho had a fondness for the police and the criminal bench which led him to spend extraordinary sums of money, even during hard times, for their entertainment. No wealthy Mandarin spent money more generously than Aho, who was the keeper of a livery stable out of which his business partner, Mr. Chillingworth, testified before the Federal Grand Jury, that he only derived an income of \$15 a week, or month, we forget which. But call it \$15 per week. As luau go, this amount, assuming each partner to have had the same dividend, could not carry one far and Aho's luau were sumptuous events. Just where the revenues came from which paid beyond the \$15 limit for these Lucullan or Kamehamehan feasts, no one has yet made clear. One may put due stress on the fact, however, that they abruptly ceased when the police change occurred.

PROGRESS IN CHINA.

A pamphlet entitled "The Solution of the Chinese Question" written by Sun Yat Sen, the Chinese reformer, who spent several months in Honolulu, has been extensively circulated and has attracted much attention in the Eastern States. It is strongly written and very condensed and lucid in expression. It dwells considerably on the relation of China to the United States and to the extension of commercial relations between the two nations.

With the conclusions of the pamphlet—that is the practical measures proposed—it is not within the province of American journalism to deal. But the historical facts presented are of great interest and, except to a specialized few, probably unknown. It is brought to the notice of our people that the Manchu dynasty was established by the capture of Pekin in 1644 through a coup de guerre in the midst of a great civil war, and has ever since maintained its authority by terrible massacres, by the extinction of ancient literature and by the destruction of all freedom of the press or among the people. It is claimed that now the entire number of Manchus, who are treated as Tartars, is less than five millions and that the Chinese proper number about four hundred millions and are virtually without a government except an iron and repressive autocracy.

Mr. Sun Yat Sen further insists that the Western nations are under a great misapprehension when they suppose the Chinese to be a seclusive people. He alludes to various facts in confirmation of the proposition that, prior to 1644, they maintained close relations with their neighbors and were very friendly to missionaries and to foreign traders. The Nestorian tablet at Si-An Fu is mentioned as a clear exposition of the work of missionaries as far back as the seventh century. The introduction and spread of the Buddhist faith, the conversion of a Prime Minister under the Ming dynasty to the Christian religion, and numerous other matters, are grouped together as demonstrating the statement.

It is circumstantially asserted that the policy of exclusion originated with the Manchu or Tartar dynasty; that the empire was closed to foreign trade; that missionaries were deported; that native Christians were massacred, and that emigration was prohibited. It is further declared that the Manchus cannot reform the country because five millions are despotically controlling four hundred millions, and because the administration of the Government is not only fossilized but rotten. Ten specifications of wrongs inflicted under the Tartar rule are a condensed summary of leading points in our Declaration of Independence.

The most important element in this brochure, however, is its statements of the present condition of the Chinese people. "The whole nation" it is declared, "is ripe for revolution." To prove this references are made to the Welchow uprising of 1900, to the coup de main which failed at Canton in 1902, to the steady growth and expansion of the Chinese Patriotic Society, which has existed for two hundred years and is now advancing with rapid strides, and to the trend of the Chinese press in

LOCAL BREVITIES.

(From Wednesday's Advertiser)
Gustave Kuntz is building a public bath at Apia like the ones here.

The Sheridan sails today at 11 o'clock this morning for San Francisco. She will carry mail.

Mr. Ernest E. Hartman, the chemist, left yesterday by the Ventura on a business trip to Mexico.

The government dispensary reports that the number of trachoma cases among school children is decreasing fast.

Land Commissioner Pratt departed yesterday for the coast to join the members of his family and will accompany them back to Honolulu.

Detective Charles Hatter wanted to go to the mainland to spend his Christmas, but it begins to look now as though he would be kept here for awhile longer.

Paddy Ryan has written his idea of the liquor license question to the Governor. He favors a flat rate for all dealers, Sunday closing to be strictly enforced.

Homer J. Carleton, a recent graduate of Harvard University who is about to enter the Philippine Government service, left for Manila Saturday after a brief visit with relatives here.

Some excitement was caused last night by the attempt of a Japanese woman to jump from a rapidly moving car at the corner of Beretania and Alakea streets. She was caught by the conductor just in time to save her.

Rev. R. B. Taylor, pastor of the First Presbyterian Church of San Diego, was drowned while sailing on the bay of San Diego two weeks ago. His wife is a niece of Miss A. Smith of Honolulu.

The 600 soldiers on the United States Army Transport Sheridan are almost without reading matter. Anything left at the Y. M. C. A. before 10 o'clock this morning will be taken to them and will be most gratefully received.

W. H. Goetz was the guest of honor at a banquet last evening given at the Masonic Temple by his brothers of Lodge Le Progrès. The hall was tastefully decorated. C. G. Bockus, master of the lodge, presided. Mr. Goetz leaves for the mainland on the Mongolia.

(From Thursday's Advertiser)

The police revenues for the last month amounted to \$2336.

Frank C. Atherton is back from Kula very much improved in health.

Princess Kawanakakoa will receive on Friday afternoon from 3 to 5 at the Campbell home, Emma street.

A dance will be given at the Moana Hotel on Friday evening. On New Year's eve the annual Moana dance will also be given.

There is a barley famine in town and it will not be relieved until the arrival of the Rithet, now 25 days out from San Francisco.

While at Kalaupapa the Likelihi had one of its boats stove in day before yesterday. The boat was recovered and no one was injured.

The transport Logan is bringing one million pesos for use in the Philippines. They have just been minted in the Government mint at San Francisco.

Six Sisters of the Order of the Sacred Heart arrived yesterday on the Sonoma direct from France to enter the Convent of the Sacred Heart, as assistants to the Superior.

The Mystic Shriners will have their annual "hot time" on Saturday. The victims meet at Progress Hall at 1:30 p. m. and the street parade takes place half an hour after.

Abraham Kaulukou, son of Judge Kaulukou of this city, and a member of the senior class of the Yale Law School, was recently taken into Corvey Court, one of the exclusive secret societies of the school.

Jonah K. Kalanianaole, delegate to Congress from Hawaii, departed for Washington last evening. Just before leaving the Occidental a number of Hawaiians assembled in the lobby of the hotel and serenaded their countryman.—Call, November 27.

Bishop Restarick, whose return was on the Logan was obliged on Dec. 2, to go back to Boston on account of the sudden development of painful complications in his son's case, necessitating a consultation in San Francisco and a possibility of an operation. The Boston surgeon who had the case originally will deal with it again.

W. Wolters returned in the Sonoma from a tour that included the St. Louis Fair.

Mrs. F. L. Hoogs and two daughters returned in the Sonoma from a health visit to California.

United States Marshal Hendry has returned from the trip that he took to Kauai on official business.

Col. Z. S. Spalding and John A. Scott, veteran sugar planters, both returned to the islands in the Sonoma.

The stock of flour in Honolulu is said to be running low. Some is expected in vessels to arrive shortly.

It is reported that every plantation on Kauai is grinding sugar of the new crop. Sugar is piling up in the various warehouses awaiting shipment. Makai had 5380 bags on hand yesterday, and the K. S. company 4300 bags. Purser Grube of the steamer Nihau reports the following sugar on hand at Kauai plantations: K. S. M. 1000 bags; V. K. 800; Mak. 5380; G. & R. 366; McB. 675; K. S. Co. 4300; total 12,521 bags.

Taking his load in his hands and finding it rather hard to carry Charles Mitchell went down to the police station last night to announce, aloud and somewhat profanely, that he could not be arrested. Charles found out in about two minutes that he was laboring under a very serious misapprehension. This was developed by Turnkey Melanphy could not search him. In fact it was Mr. Mitchell's evening of delusion. Probably he had seen the new moon, or a couple of them, over his left shoulder.

Rheumatism

Is a rack on which you need not suffer long.

It depends on an acid condition of the blood, which affects the muscles and joints, causes inflammation and pain, and results from defective digestion and a torpid action of the liver, kidneys and skin. Sciatica, lumbago and stiff neck are forms of it.

"Hood's Sarsaparilla has cured me of rheumatism. I was so I could not lift anything and my knee were so stiff I could hardly get up or down stairs. Since taking three bottles of Hood's Sarsaparilla I have never felt a symptom of rheumatism, and I gladly recommend Hood's for this disease." Mrs. Hattie Turner, Bolivar, Mo.

FIGHT OVER KONA SALE

Confirmation Is For the Time Held Up.

There was a warm contest before Judge Robinson late yesterday afternoon over the question of the confirmation of the sale of South Kona property under foreclosure in the suit of H. Hackfeld & Co., Ltd., vs. W. C. Achl, Kapiolani Estate, Ltd., W. R. Castle and J. M. Monsarrat.

Mr. Withington, representing Mr. Castle, attacked the report of the receiver, Franz Buchholz, saying the building of the fence to make a corral for rounding up the stock on the premises was unnecessary. He went on to say that it was an unheard-of proceeding to sell stock without giving information at the sale regarding the number of animals, whether it was one or a hundred head.

Mr. Ashford, on behalf of Kapiolani Estate, took up the same objection of blind selling of stock and went on to question if the best advantage had been obtained by all concerned from the sale as a whole. He was informed, when in Kona some time ago, that it was next to impossible to buy land in that section. The land was held in large tracts, most of it by "that old man of the sea, the Bishop Estate, resting on the country's neck and likely to continue so doing for generations to come."

Mr. Cooper, representing the plaintiff and petitioner, replied, maintaining that all the proceedings had been conducted with utmost publicity and the contestants were themselves to blame for any lack of information under which they might labor. It was contended that the court, in proceedings before the sale, passed upon all of the objections now raised. Finally, with the consent of the court, he proceeded to read the report of sale with accompanying affidavits as to notice, sufficiency of value realized, etc.

Messrs. Ashford and Withington joined in objections to the documents and when they were overruled noted exceptions. Next they strongly opposed the formal motion for confirmation of the sale.

Mr. Cooper argued that the case was different from that of Silva vs. Lopez, as the mortgage here did not enumerate the cattle, hence the wording of the notice was exactly in conformity with the terms of the mortgage. The mortgage was general in its terms and the sale likewise.

Mr. Withington warmly contended that the price obtained was ridiculously small, and represented it to be improper that the sale should have been made to an officer of the court, meaning the receiver, who was the only person having definite information of the property that was sold.

Mr. Cooper objected to any appearance for W. R. Castle, as he had no interest in the property sold. His mortgage was of other land. There was no surplus in question, the debt being \$37,000 and the realization \$13,000, in round figures.

Judge Robinson was about to make an order confirming the sale, when Mr. Withington asked if that was to be done without a hearing. In answer to the court he said he had evidence to put in if permitted.

The hearing was therefore extended, and Mr. Cooper, being called by Mr. Withington, testified regarding the circumstances of the sale.

Mr. Monsarrat, who in the meantime had formally protested against confirmation for the purpose of saving his own rights, was next called. His statement that Mr. Buchholz wrote to him saying the property was worth \$50,000 was struck out, as not responsive to the question of value at sale, when he had explained that the letter was written some years ago. However, he testified his belief that the value of the property at the time of sale was at least double what it sold for.

At 5:25 Mr. Withington begged for continuance of the hearing, saying he had been on a jury case all day, besides attending to several other matters.

"Perhaps the court is ready to rule," Mr. Cooper suggested, but, after some conversation, the hearing was continued until 4 p. m. Monday.

LAW OF EMBEZZLEMENT.

An important point was before the Supreme Court yesterday in the case of Edward Vivian Richardson, charged with embezzlement as clerk of the Honolulu Water Works. E. C. Peters represented the Territory, and A. G. M. Robertson the defendant.

Mr. Robertson contended, producing authorities from different States, that Richardson was not liable to indictment under the statute referred to therein, because there was no law that made the clerk of the Water Works bureau an official charged with, and responsible for, the custody of public money. A distinction was drawn between the general statute of embezzlement and the provision in the Audit Act under which Treasurer W. H. Wright was indicted, which declared certain officials to be public accountants and responsible for moneys coming into their hands as such. Counsel argued that Richardson's office was not that of a public accountant.

ORDERED TO BEGIN WORK

Holloway Takes Next Step in Insane Asylum Contract.

"I have written the contractors for the construction of the main building of the insane asylum, the Hawaiian-American Construction Company, a letter notifying them to proceed with work on the building," said Commissioner of Public Works Holloway yesterday.

"And can they make the cement blocks according to the specifications?" the Commissioner was asked.

"Well, I suppose they can make them."

"What was the nature of the letter, Mr. Holloway?"

"It was a mere formal notification to begin work."

What the next step will be nobody seems to know. The matter was understood to be in the Governor's hands yesterday, but there was no indication from the chief executive of the Territory that any decision had been reached—if it is up to the Governor to make a decision. Mr. Holloway, however, had said several days ago that he would give the Hawaiian-American Construction Company time to hear from Mr. Amweg by the steamer Sonoma, and the time given was up on Wednesday. The notice to go ahead with the work probably follows a failure to hear from the contractors as to what Amweg has accomplished.

"We have received no notice from the Commissioner of Public Works to go ahead with work on the insane asylum contract to-day," said Mr. Withington, speaking for the contractors last night. "The matter is in the hands of the Governor. That is all we care to say concerning it at this time."

It was nearly five o'clock in the afternoon when Mr. Holloway said that he had sent the letter to the contractors, so it might well not reach its destination until to-day.

Mr. Peters in reply laid stress on the provision of the embezzlement statute, making one an embezzler who converted money to his own use which had been received by him in a public capacity either through "appointment" or "regulation."

SEA FRONTAGE DISPUTE.

One of the cases recently argued and submitted before the Supreme Court is that of Territory of Hawaii vs. L. B. Kerr. The defendant appeals from an injunction against building a retaining wall into the sea at Waikiki, taking in new land from the domain of the Pacific Ocean. P. L. Weaver represented the Territory and S. H. Derby the defendant.

FUNERAL WRECKING SUIT.

Return of summons for the January term has been made in a suit brought by Francis Jose against Honolulu Rapid Transit and Land Co., claiming \$5000 damages on account of the wrecking of the hearse containing the dead body of the plaintiff's wife, from being struck by an electric car on King street on the 4th day of September, 1904. It is alleged that the car was negligently and at an unlawful rate of speed being driven at the time and place of the collision and that no bell, gong or alarm was sounded before the car struck the hearse. The hearse was broken and the coffin demolished, it is represented, with consequences whereby the plaintiff "was greatly nauseated and sickened and sustained and suffered a great nervous shock, and sustained and suffered great mental anguish and pain?" A. S. Humphreys is attorney for plaintiff.

OLD DIVORCE CASE.

The divorce case of Mary Naukana Duncan vs. Adam L. Duncan, in which an order of temporary alimony of \$5 a week was made on March 27, 1903, came on again before Judge De Bolt yesterday. C. W. Ashford appeared for the libellant and the libellee in person. The court, after hearing evidence, granted the divorce on the ground of non-support and ordered the libellee to pay the libellant's counsel a fee of \$50 and also to pay the costs of court. It was further ordered that the ownership and custody of the household furniture and effects be confirmed to the libellant.

COURT NOTES.

Carlos A. Long filed his bond in \$20,000 as administrator de bonis non with the will annexed of the estate of Robert William Holt, deceased, with John F. Colburn, Jas. F. Morgan and Antonio A. Long as sureties. Judge Robinson approved the amount of the bond and the sufficiency of the sureties.

Identical demurrers to the pleas in abatement of defendants have been filed for plaintiff by its attorneys, Kinney, McClanahan & Cooper and C. A. Galbraith in the suit of Wm. W. Bierce, Ltd., vs. Clinton J. Hutchins, trustee, and Arthur B. Wood, William Waterhouse and Albert Waterhouse, executors of the estate of Henry Waterhouse.

Judge Robinson continued the trial of Emmett May, indicted at the May term for embezzlement, until Monday morning.

The ejectment case of Ching Man Sing vs. Mary A. Richards et al. goes to the jury before Judge De Bolt this morning, the matter of instructions having been arranged yesterday afternoon.

Surgeon E. G. Parker, U. S. N., accompanied by his wife and family, is going to Samoa in the Sonoma to report for duty at the Pago-Pago naval station.

POLITICIAN IS INDICTED

Grand Jury Makes Two Charges Against Jim Kupihea.

Although he was indicted twice by the Territorial grand jury yesterday, nevertheless "Big Jim" Kupihea was not given a chance to play checkers with his nose behind the bars of the prison where he had served so long and so efficiently as a turnkey. The indictment of "Big Jim" was the culmination of all the investigation of the alleged irregularities at the last election on the part of the grand jury. The warrants for the indicted man's arrest were hardly more than issued before Kupihea was formally arrested, and at once admitted to bail in the sum of \$1000.

There were two indictments against Jim, the first charging that he had gone to the polls along with four others—in other words as one of an organization, contrary to the provisions of the statute—and voted in a body. This is the famous "Red Shirt" brigade, of which it is charged that the indicted man is a leader. The organization, apparently, was not large.

The second indictment charges Jim with threatening voters, thereby compelling them to vote otherwise than as they would have done. This charge, it is understood, relates to the so-called "numbered ballots," and is therefore the charge upon which Colonel Iaukea probably counts to make some kind of a showing in his contest of the delegate's seat in Congress, which contest Iaukea is quoted in one of the evening papers as saying that he would commence at Washington. Whether Iaukea will wait for the action of the special Federal grand jury before beginning his contest is not stated, but inasmuch as the Federal grand jury was called in his behalf he should wait, as a matter of common politeness.

There were six indictments handed by the grand jury yesterday but only those against Kupihea were of special moment. Of the others, all of which were placed on the secret file, three were ascertained from the arrests last night to be against persons accused of selling liquor illegally. The three who were arrested were M. S. Fretas, M. G. Silva and a Japanese woman of the name of Ito. All these were released upon the deposit of \$200 bail. Fretas and Silva, it was said in official circles yesterday, are old offenders.

RECEPTION TO THE REV. DR. SCUDDER

The following is from the Boston Globe:

WOBURN, Nov. 11.—Four hundred guests attended the harvest supper in the vestry of the First church last evening. The glad festival was preceded by a reception in the church auditorium to Rev. Dr. and Mrs. Doremus Scudder, formerly of this church, who are taking a brief rest from their religious and educational work among the Japanese in Hawaii. The occasion was not only a homecoming of the parish but a testimonial of respect from many citizens outside the pale of the church.

The banquet tables occupied fully the spacious vestry and were tastefully decorated with the Japanese flower, the chrysanthemum. At the guest table the following is from the Boston Globe:

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COMING BACK TO BE TRIED

Emmet May En Route
to Meet Charge of
Embezzlement.

The criminal calendar was called in Judge Gear's department of the Circuit Court yesterday, with a view to a general clean up of the present list of cases. The case of Solomon Meheula, clerk of the last legislature, charged with gross cheat, was definitely continued for the term. Attorney Chillingworth was on hand to bring on the Chang Hung burglary cases, but Attorney General Andrews said that Emmet May, charged with embezzlement, was coming to Honolulu on the steamer due from the coast tomorrow, en route to stand trial, and he thought that in consideration of this fact May should be given the preference.

Attorney Dunne, who represents May, asked that the case be set for trial on Thursday morning and the Attorney General consenting the case was so set.

All the other cases on the calendar were allowed to stand for later disposition, but as there are only about seven more days of the term it is likely that all, even the Naone murder case, will go over.

SUED BY THE UNITED STATES.

United States District Attorney Breckin has begun suit in the United States District Court, in the name of the United States against the two sureties for Levi P. Kauhoe, formerly postmaster at Kapaia, who is now serving a sentence of a year for having embezzled government money. The sureties are a wealthy Chinese named Aloian and the father of the prisoner, Isaac Kauhoe.

When Kauhoe's shortages were discovered and his books were examined he was found to be short \$189, and upon promised restitution of this amount he got off with a comparatively light sentence. The actual cash to square the defalcation was not forthcoming, but Aloian and the elder Kauhoe made a joint note for the amount, \$189, to Post Office Inspector Frank J. Hare. The note was for 90 days, but it has never been paid.

The suit is peculiar in that it is begun in the name of the United States, although the note was made to Inspector Hare personally.

COURT NOTES.

Hoffman, Rothschild & Co. have begun suit against Leechu to recover \$300 on three separate promissory notes for \$100 each.

The hearing of the Parker ranch case went on before Judge Gear last night.

Defendant in the case of the Hawaiian Commercial and Sugar Co. vs. the Wallulu Sugar Company today filed in the Supreme Court a withdrawal of answer to the motion for a decree, and objection to entering a decree.

The Supreme Court continued its hearing of arguments in the Hague case all day yesterday.

Defendants in the case of Yam Wo Tong against Hoffschlaeger & Co., Ltd., and High Sheriff Brown, have filed general denial to the reamended complaint.

An inventory of the estate of the late S. E. Damon has been filed by Gertrude Damon, executrix. It shows personal property valued at \$5770, and real estate at \$26,000.

PERU STOPPED BY STINGRAY

The Examiner says:—A gigantic stingray, or manta, as it is called by the Spanish-Americans, brought the big steamer Peru to stop off the Mexican coast a week ago. The Peru was proceeding at full speed and was within a day's run of Mazatlan when the officers and some of the passengers observed a noticeable check in the vessel's progress. The change could not be explained by the chief engineer, for the machinery was doing as well as ever, and Captain MacKinnon and Chief Officer Jones began an investigation.

The cause of the trouble was discovered when the mate looked over the bow. There was a monster fish of some description lodged fairly across the steamer's stem in such a manner that it made the vessel's bow almost as blunt as a scow's. The Peru was stopped, and a man with a hook and chain was lowered over the bow for the purpose of making fast to the monster, the idea being to raise the creature to the deck. But when the sailor had struck the hook deep into the monster's back and the steam winch was started up, the hook straightened out and allowed the stingray to fall into the sea. Its weight was estimated at four tons. In all respects the creature resembled a stingray, having the same diamond-shaped body and long tail that are distinguishing characteristics of that animal. But its immense size startled all hands aboard the Peru.

ARE REMEMBERING THE SETTLEMENT

The Kamehameha Alumni Association intends to send a Christmas box to the Leper Settlement and anyone wishing to send books, papers, articles of clothing or anything else can leave same at the Kamehameha Club House No. 1237, Fort street, not later than the 15th of December and same will be forwarded on the 19th.

HAWAIIAN PINES AND NEW YORK MARKET

DANBURY, Conn., Nov. 25, 1904. Editor Advertiser: I have always been a great lover of the Hawaiian pine, and when on the Islands I can hardly restrain my appetite for them. In speaking of them to my friends in the East, I have told them of their decidedly delicious flavor and their delicate flesh. They invariably seemed to think that I was lauding the Hawaiian pine altogether too much, while as a matter of fact the story was never half told. While over on the Islands this last time, I decided to bring some of them along with me.

The reason for my writing this letter to you, is that I thought perhaps it might interest you to know the condition these pines were in when I reached home. I went out on the open and bought one dozen good stock, green. From Honolulu to San Francisco was six days by boat, and from that point to Danbury I was six days en route, making in all thirteen days. When I arrived home I found the pines in perfect condition, the same having been packed in my trunk with nothing but a bit of paper around them.

Now the point is: Why, if pines can be brought from Honolulu to New York, packed as were those I brought and reaching here in salable condition—Why do not some of the dealers in Honolulu get in touch with the fruit trade in the greatest market of the world—New York? New York is the greatest commercial city of the world, and with its great wealth its people are willing to pay anything for the best. Here is a subject that is worthy the attention of your people. That the Hawaiian pines are the best, is sufficient to warrant a large trade in this fruit if it is given a chance to develop.

I am.
Very truly yours,
W. C. WILE.

SHOT IN THE LEGS

Major Ducat, United States Army, a through passenger on the army transport Sheridan en route to the mainland from Manila, achieved fame at Santiago and San Juan Hill during the Spanish war.

At that time Major Ducat was a captain in the famous 24th Infantry (colored). In the charge up San Juan Hill the colored infantrymen were conspicuous for their bravery. Half way up the hill a bullet struck Ducat in the thigh and passed through both legs, making four wounds. He was also wounded in another portion of his body.

Afterwards he became colonel of one of the volunteer regiments and passed through here several years ago on the same troopship with Funston who was then a Brigadier General of Volunteers. Both officers were entertained the night of their arrival at the Officers' Club of the National Guard of Hawaii.

HAWAII. Bound in law calf, sent THE FUNDAMENTAL LAW OF postage prepaid, to any address in the United States for \$5 a copy.

WHAT IT WILL DO.

A woman buys a sewing machine for what it will do; not as an article of furniture. A man carries a watch to tell him the time; not as an investment of surplus capital. The same principle when one is ill. We want the medicine or the treatment which will relieve and cure. The friend in need must be a friend indeed, something, or somebody, with a reputation. There should be no guesswork in treating disease. People have the right to know what a medicine is, and what it will do, before they take it. It must have behind it an open record of benefit to others for the same diseases, a series of cures that proves its merit and inspires confidence. It is because it has such a record that

WAMPOLE'S PREPARATION is bought and used without hesitation or doubt. Its Good Name is the solid basis for the faith the people have in it; and a good name has to be earned by good deeds. It does what you have a right to expect it to do. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In Scrofula, Aneurina, Nervous and General Debility, Influenza and Wasting Complaints, it is to be thoroughly relied upon. Doctor J. L. Carrick says: "I have had remarkable success with it in the treatment of Consumption, Chronic Bronchitis, Catarrh and Scrofulous Affections. It is of special value in nervous prostration and depraved nutrition; it stimulates the appetite and the digestion, promotes assimilation, and enters directly into the circulation with the food. I consider it a marvelous success in medicine." Every dose effective. "You cannot be disappointed in it." Sold by chemists throughout the world.

WHAT THE PRESIDENT REQUESTS FOR HAWAII

Summary of Governor Carter's Schedule of Requisitions—The Governor's Exertions In Behalf of Honolulu Harbor.

To increase the depth so that the increased draft and length of steamers crossing the Pacific may be accommodated. This amount is about one-third of what will be required, but the Territory is now about expending a larger amount on the work.

Refund to Territory \$175,222.67

This is the amount already expended by the Territory on harbor improvements, buoys, lighthouses, dredging, etc., as the Governor said yesterday, "in the interest of commerce" and that of protection to life and property, during the period when the Federal Government made no provision for works that no State or Territory is called upon to bear by direct taxation."

Federal building, Honolulu \$1,000,000.00

Falling this item, provision should be made for the payment by the Federal Government of rents for quarters occupied by its several departments.

Federal building Hilo \$10,000.00

The cable made this a million dollars, no doubt by mistake.) For locating together the postoffice, courts, internal revenue office and custom house.

Breakwater, Hilo \$10,000.00

For making a survey in anticipation of construction.

Study of leprosy \$50,000.00

To be expended under the United States Marine Hospital Service, for Congress.

SENATOR MITCHELL WILL DO HIS BEST TO AID HARBOR LEGISLATION

(Mail Special to the Advertiser.) WASHINGTON, D. C., Nov. 26.— Senator Mitchell, of Oregon, who takes a lively interest in Hawaiian matters, has arrived here for the session of Congress. He is very emphatic on one point, that is the necessity of a River and Harbor appropriation for Honolulu.

"I intend," said Senator Mitchell today at the Raleigh hotel, "to do everything in my power to secure an appropriation for Honolulu harbor. Honolulu needs the improvement and Congress ought to appropriate the money. You can not express my sentiments more strongly on that subject. We are going to have river and harbor legislation this year and Honolulu deserves a good appropriation in the bill."

"Is that all the river and harbor appropriation you intend to ask for the Territory?" was inquired.

"No," replied Senator Mitchell. "Something ought to be done towards the improvement of the harbor at Hilo. The need there, too, is great. I hope we can get authority for a survey of Hilo Harbor."

In that connection Senator Mitchell said a letter had just been forwarded to him from Mr. Peck, of Hilo, who was at San Francisco and wanted to know where he could meet him. Mr. Peck stated his intention of coming on to Washington where Senator Mitchell will be glad to see him.

When he was asked what other matters for the Hawaiian Territory he had in mind for the coming session of Congress, the Senator replied:

"I have just arrived in town and therefore have not had opportunity to look into things much. The most I know about is that appropriation for Honolulu harbor. This is the session you know," said he with a smile, "when it behooves us to get busy for appropriations. Therefore we must make our great strike for Honolulu."

Senator Mitchell inquired whether there were any Hawaiian people yet in town and asked also for other news about the islands. He has been on the Pacific Coast for the last four months and feels very jubilant over the elections. While recognizing that there is some sentiment for tariff revision on the Pacific coast, Senator Mitchell favors doing whatever revising there is to be done at the long session of Congress next winter.

HAWAIIANS NOT ON HAND. Although several arrivals from Ho-

olulu are looked for here daily no one is yet on the scene. Secretary Atkinson has not yet reported to the Interior Department, but a letter from Governor Carter, serving as credentials for the Secretary, has already preceded him there. The department is awaiting the Secretary's coming before taking any steps with reference to the new issue of bonds.

Delegate Kuhio and Private Secretary McClellan have not yet come to town, although the mail from the steamer that brought them to the coast has reached Washington. As the consideration by the River and Harbor Committee of the House of the river and harbor appropriation bill has been postponed till next week, the Delegate will be in time to speak a word in behalf of Honolulu if he so desires.

Mr. William Haywood, however, as told in my last letter, has prepared data and other information and has already been assured a hearing by the improvement of the harbor at Hilo.

The need there, too, is great. I hope we can get authority for a survey of Hilo Harbor."

A PUBLIC BUILDING. Senator Mitchell today spoke of the necessity of a public building at Honolulu and said he should help along an appropriation for that as much as he could, if there was to be public building legislation at the approaching session.

Thus far it is impossible to forecast the prospect of public building legislation. A report has gone abroad that there will be no new buildings authorized, especially in view of the large sums that are to be appropriated for rivers and harbors and also because the office of the supervising architect of the treasury is already overworked in putting up the buildings now authorized.

Speaker Cannon is the man who will have the final word on that subject and he has not yet come to town. There will be pressure upon him from many directions to allow public building bills to be considered.

The final proof of Governor Carter's annual report is now at the Interior Department but the report has not yet been made public.

Little of the important legislation for Hawaii this winter will come before the Territories Committee of the House or the Pacific Islands Committee of the Senate, being largely confined to the committee in charge of general legislation in which the rest of the country is also interested.

ERNEST G. WALKER.

Bought Royal Palace Mirrors.

Two of the big French plate glass mirrors with heavy gilt frames which once adorned the room of King Kalakaua at the Palace were sold at auction the other day by Morgan and the purchaser was Henry E. Cooper, former Attorney-General, Minister of Foreign Affairs, Minister of Finance, etc., of the Republic of Hawaii. The mirrors brought about \$400 each.

It is said that the auction attracted Mr. Cooper for the reason that it was while he was a cabinet officer under President Dole that he occupied the room where the mirrors were.

READ ALL OF THIS

You Never Know the Moment When This Information May Prove of Infinite Value.

(From the Sydney, N. S. W., Herald.) It is worth considering to any citizen of Honolulu to know the value and use of a medicine, for if there is no occasion to employ it, in the meantime, frail humanity is subjected to so many influences and unforeseen contingencies that the wisest are totally unable to gauge the future. Know then that Doan's Ointment will cure any case of hemorrhoids, commonly known as piles, or any disease of the cuticle or skin, generally termed eczema. One application convinces—a continuation cures. Read this proof:

Mr. William Gilliver, of the well-known firm of Gilliver & Curtis, railway and general contractors, and whose private address is "Avoca," Bankstown, a suburb of Sydney, N. S. W., has written the following unsolicited letter, which we herewith publish in full:

Messrs. Foster, McClellan Co., 76 Pitt St., Sydney, N. S. W., February 14, 1899.

Dear Sirs:—In justice to you and suffering humanity I write to say that I suffered from itching piles for 22 years. I tried many doctors and pretty well all kinds of patent medicines, but got relief for a short time only. Seeing your Ointment advertised, I bought a pot and did not use more than one-half of it, not six months ago, and I am perfectly cured. You may use this as you wish.

Yours gratefully,
WILLIAM GILLIVER.

Doan's ointment is sold by all dealers at 50 cents per box or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, agents for the Hawaiian Islands.

CHILLINGWORTH

IS INDICTED

(Continued from Page 2) came and took me. That's all I know."

Ahoo will be wiser, no doubt, today. He is known, and has been known for a long time past in criminal circles as a very wise guy indeed. There are those who say that Ahoo has been the whole head and front of the Chinese gambling fraternity in times that are no more—that is, of the so-called "protected fraternity."

The Chillingworth and Ahoo indictments were the sensation of the grand jury's report, but they were not all of it. There were eight more indictments, and the offenses charged were various. In one of the cases the man charged was not arrested last night, and of course that indictment is still on the secret file. Of the others, there were four charges of illegal liquor selling against N. R. Spencer, of Iwilei. Spencer was gathered into the net easily enough, and gave \$250 cash bail at a late hour last night.

There was also an indictment, containing three counts, charging Henry Vierra, the defaulting clerk lately discharged for peculation from the Department of Public Works, with embezzlement on three counts. The total amount taken is alleged to have been \$27. Vierra was easily found and arrested by the Deputy Sheriff, and was released last night on \$500 bail, with Solomon Mahelona as surety.

Leon Renaud was indicted on two charges of illegal liquor selling. He was arrested late in the evening, and gave \$250 cash bail.

The one indictment that was put on the open file when the grand jury made its report was that charging Kahiliilau with murder. The accused man is a native, 89 years old, and killed another native of the name of Joseph Kana a few weeks ago. He confessed the crime, shortly after its commission, to Chester Doyle, who had worked up the case against him. This man Kahiliilau is an old offender, having once before served a sentence on the reef for murderous assault. The story of old crime itself an interesting tale, is told in the Pacific Commercial Advertiser of April 27, 1872, under the heading of "A Savage Attempt at Murder."

"Last Wednesday evening, at a quarter before eleven o'clock, a native boy came running into the station house with the information that Mr. C. C. Bennett, who keeps a variety store on the Kalihii road, about a mile and a half from town, had been almost killed by a native named Makauil. Both the Marshal and Deputy were near at hand, and proceeded with all possible dispatch to the place, accompanied by Dr. McGrew. Mr. Bennett was found to have received two cuts with a large, twelve inch butcher knife, one across the back of the neck at the base of the skull, which was six inches long and one and a half deep, and the other on the cheek, which was slight. Although the first cut made a horrible gash and bled profusely, the doctor who dressed the wound apprehends no immediate danger to life."

After mentioning the arrest of nine different men for the crime, the Advertiser relates that Kahiliilau, a hanger-on at the fishmarket, was finally taken into custody as the tenth and was recognized by Mr. Bennett as his assailant. The man pretended to be insane after his arrest, but was tried at the ensuing term of court nevertheless and sentenced to five years' on the reeves.

Mr. Bennett, the victim of Kahiliilau's fury, was a man of considerable prominence in the Honolulu of his day. He was the man who first numbered the houses of the little city, same mischievous boys going about at night at that time and tearing down the numbers after he had put them up. He lived for a considerable time after he had been assaulted by the native.

The accused native has been in cus-



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To All Points in the United States and Canada, via Victoria and Vancouver.

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Empress Line of Steamers from Vancouver Tickets to All Points in Japan, China, India and Around the World.

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CHAS. BREWER & CO'S NEW YORK LINE

Ship Henry Villard sailing from New York to Honolulu on or about Dec. 15, 1904. FREIGHT TAKEN AT LOWEST RATES. For freight rates apply to

CHAS. BREWER & CO.,
27 Kilby St., Boston, orC. BREWER & CO., LTD.,
Honolulu.

REAL ESTATE TRANSACTIONS.

Recorded Nov 28, 1904.

Joe Emmsley to J. Onishi; Judgment; for \$318.60. B 143, p 27. Dated Nov 26, 1904.

Julia K. Wilder and hsb (J O) to Richard K. Kalohi; D; 1 A land, Mokulau, Kaupo, Maui; \$20. B 266, p 14. Dated Nov 10, 1904.

Recorded Nov. 26, 1904.

B Maalili and wf to George H Akau et al; D; 18-100 A land and bldg, Volcano St., Hilo, Hawaii; 17-100 A land and bldg, Jall St., Hilo, Hawaii; \$1260. B 266, p 12. Dated Nov 17, 1904.

Kahalelau (w) to Otto Medero; D; 5 A land, Kekualele, Hamakua, Hawaii; \$150. B 261, p 49. Dated Nov 21, 1904.

Keahonuk Rickard to Kamehame Klim; 1/4 490 sq ft land, Honokaa, Hamakua, Hawaii; 15 yrs @ \$50 per yr. B 273, p 12. Dated Nov 21, 1904.

E C Greenwell (Mrs) to Angelica

Teixeira; L; 4 A land, Kamaluanu, N Kona, Hawaii; 9 yrs @ \$20 per yr. B 273, p 15. Dated Sept 1, 1904.

E C Greenwell (Mrs) to Angelica Teixeira; L; pe land, Pahoehoe, N Kona, Hawaii; 10 yrs @ \$30 per yr. B 273, p 17. Dated Sept 1, 1904.

Hall Kansaka (w) to A Hauwahine Kealoha (w); D; R P 6400, Kul 6540, Keokea, Kula, Maui; \$50, etc. B 266, p 15. Dated July 27, 1904.

Harriet K Kealo and hsb to H L Holstein; D; int in Kul 387, Nihuli, Kohala, Hawaii; \$50. B 266, p 16. Dated Nov 2, 1903.

H L Holstein and wf to C F Hart; D; int in Kul 387, Nihuli, Kohala, Hawaii; \$50. B 266, p 17. Dated Jan 28, 1904.

Gear, Lansing & Co by Trs to Vittino Ventura; D; lot 5, Kaonolu Lots, Kula, Maui; \$50. B 264, p 201. Dated Oct 27, 1904.

Antone M Caldeira and wf to J M Gonsalves et al; D; 92 70-100 A land, Makawao, Maui; \$1340. B 264, p 203. Dated Nov 10, 1904.

Queen's Hospital to James Wight by attys; L; Kul 8515, Kawaihae 2, Kohala, Hawaii; 10 yrs @ \$2550 per yr. B 273, p 19. Dated Nov 25, 1904.

Naki to Tom Leone et al; L; pe land, Kaneohe, Koolau, Oahu; 15 yrs @ \$20 per an. B 263, p 171. Dated Sept 30, 1904.

William C Achi and wf to Thomas W Holstein; D; lots 28 and 30, 25, Puuanah Tract, Honolulu, Oahu; \$500. B 264, p 205. Dated Feb 26, 1904.

Geo S Kenway and wf to Francis M Swanzey; D; por Gr 2221, Paauilo, Hamakua, Hawaii; \$500. B 264, p 206. Dated Nov 26, 1904.

Mary C Milli to Onomea Sugar Co; L; 9 A land, Kalaao, Hilo, Hawaii; 10 yrs @ \$50 per yr. B 263, p 173. Dated Oct 15, 1904.

Hamakua Mill Co to George S Kenway; Rel; por Gr 2221, Paauilo, Hamakua, Hawaii; \$2500. B 247, p 10. Dated Nov 28, 1904.

G N Wilcox to Notice; Notice; applic for Reg Title of por Kul 191, Queen St, Honolulu, Oahu. B 265, p 301. Dated Nov 29, 1904.

Manuel de Quadros to Wo Chan Co; Can L; pe land and bldgs, King St, Honolulu, Oahu. B 190, p 294. Dated Nov 29, 1904.

Manuel de Quadros to Wo Chan Co; Can L; pe land and bldgs, King St, Honolulu, Oahu. B 197, p 127. Dated Nov 29, 1904.

Oahu Market Co Ltd by atty to Notice; Notice; applic for Reg Title of 9603 sq ft land, cor Kekauhau and King St, Honolulu, Oahu. B 265, p 301. Dated Nov 28, 1904.

Min Sang et al to Wo Chan Co; AL; int in pe land, King St, Honolulu, Oahu; \$950. B 263, p 175. Dated Mar 17, 1900.

Bishop & Co to Gear, Lansing & Co et al; Par Rel; bks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc, Waialae Tract, Honolulu, Oahu; \$1. B 262, p 174. Dated Nov 29, 1904.

Manuel de Quadros to Wo Chan Co; Can L; pe land and bldgs, King St, Honolulu, Oahu. B 197, p 127. Dated Nov 29, 1904.

Oahu Market Co Ltd by atty to Notice; Notice; applic for Reg Title of 9603 sq ft land, cor Kekauhau and King St, Honolulu, Oahu. B 265, p 301. Dated Nov 28, 1904.

Arthur A Wilder to United States of America; D; Blks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc, Waialae Tract, Honolulu, Oahu; \$1. B 264, p 209. Dated Nov 29, 1904.

A V Gear and wf et al to United States of America; D; Blks 68, 69, 75, Gear, Lansing & Co by Trs to United States of America; D; Blks 68, 69, 75, 81, 82, 88, 95, 96 and 97, rdways, Sts, etc, Waialae Tract, Honolulu, Oahu; \$1. B 264, p 212. Dated Nov 26, 1904.

W F Allen, Tr to W M Campbell; Rel; lot 4, blk A of Gr 3400, Lunalilo St, Honolulu, Oahu; \$2500. B 227, p 56. Dated Nov 26, 1904.

Recorded Nov. 29, 1904.

Bishop & Co to Gear, Lansing & Co; Rel; lot 37, Kapahulu lots, Honolulu, Oahu; \$35,000. B 192, p 271. Dated Nov 29, 1904.

James Nalau to Alexandria Strauch by Tr; D; int in R P 7307, Kul 10733 and R P 6999, Kul 7524, 2 apts Niente, etc, Hamakua, Hawaii; \$15. B 264, p 219. Dated Nov 30, 1904.

W F Allen, Tr to W M Campbell; Rel; lot 4, blk A of Gr 3400, Lunalilo St, Honolulu, Oahu; \$2500. B 227, p 56. Dated Nov 26, 1904.

W B Maling and Geo. Thielen, clerk and stenographer respectively of the Federal court, had two days of hunting on Molokai. They popped over a couple of deer and several goats.

Recorded Dec. 1, 1904.

Rose Matia to Kekula (w); D; 1/4 int in R P 354, Kul 1236, Moanalua, Honolulu, Oahu; \$225. B 260, p 490. Dated Dec 1, 1904.

First Am Saws & Tr Co of Hawaii Ltd to W M Minton; Par Rel; lots 1 to 9 (incl), blk 65, Waialae tract, Honolulu, Oahu; \$1. B 260, p 393. Dated Nov 20, 1904.

Isaac E Clark and hsb to Hawaiian Fruit & Plant Co Ltd; D; 21-3-10 A and, Wahiau, Waialua, Oahu; \$526,52. B 264, p 220. Dated Nov 18, 1904.

E Colt Hobron et al to Lord & Besser; B S; 1 stone crusher; 1 gasoline engine, screens, belts, etc; \$1400. B 265, p 302. Dated Nov 30, 1904.

Recorded Dec. 1, 1904.

Gear, Lansing & Co by Tr to W M Minton; Par Rel; lots 1 to 3 (incl), blk 65, Waialae tract, Honolulu, Oahu; \$1. B 260, p 305. Dated Nov 29, 1904.

W M Minton and wf to Sisters of O M C. St Francis; D; int in lots 1 to 9 (incl), blk 65, Waialae tract, Honolulu, Oahu; \$3750. B 261, p 491. Dated Nov 28, 1904.

Joe M Medeiros and wf to Henry Lachman; D; por lot 9 of Gr 4794, Paauilo, Hamakua, Hawaii; \$100 and mtg \$900. B 261, p 494. Dated Sept 26, 1904.

Recorded Dec. 1, 1904.

E C Greenwell (Mrs) to Angelica

THE FUNDAMENTAL LAW OF HAWAII: A NEW LAW BOOK

Edited and Indexed By Lorin A. Thurston and Published By the Hawaiian Gazette Company, Ltd.

The Hawaiian Gazette Company, Ltd., announce the publication of a book, edited and indexed by Lorin A. Thurston, containing the several constitutions and other fundamental laws of earlier days, the annexation treaty, resolutions and procedure and the Organic Act.

The book contains 298 pages of text and 138 pages of index. It is printed in regulation law book type and style and is substantially bound in calf skin.

The price is \$5.

The scope and character of the book and the reasons for its publication are given in the preface, which is as follows:

PREFACE TO THE FUNDAMENTAL LAW OF HAWAII.

5. The Constitution of Kamehameha V, 1854.

6. The Constitution of Kalakaua, 1857.

7. The Proclamation and orders incident to the establishment of the Provisional Government, 1853.

8. The Constitution of the Republic of Hawaii, 1894.

9. The treaty annexing Hawaii to the United States, 1893.

10. The Resolution of the Hawaiian Senate ratifying the annexation treaty, 1897.

11. The Joint Resolution of Congress annexing Hawaii, 1898.

12. The documents and procedure incident to the transfer of the sovereignty and possession of Hawaii to the United States, 1898; and the executive orders of President McKinley, relating to the government of Hawaii, issued during the transition period between the date of annexation and the passage of the Organic Act, 1898-1900.

13. The Act of Congress organizing Hawaii into a Territory, 1900.

The laws of 1842 are not "fundamental" in the sense that the constitutions and other laws and documents are; but they have been included herein for the reason that they were not only the first written laws of Hawaii, but embodied many of the pre-existing laws and customs of the country and therefore throw a strong light upon the origin and development of much of the present law.

Only a few of the laws, constitutions and documents re-published, have ever been indexed. A full index of all of them is included herein. Instead of one general index, each is indexed separately. The reason for such treatment is that reference will usually be desired to a given subject in some one law or constitution. The subject sought will be much easier found in the short index of the particular law, than it would have been in necessarily long index of the whole.

The table of contents gives the page of each constitution and law and of its index.

CUTICURA
REMEDIES
THE SET

Consisting of CUTICURA SOAP, to cleanse the skin, CUTICURA Ointment, to heal the skin, and CUTICURA RESOLVENT, to cool the blood, is often sufficient to cure the most torturing, disfiguring skin, scalp, and blood humours, rashes, itchings, and irritations, with loss of hair, when the best physicians, and all other remedies fail.

Millions of Women Use Cuticura Soap

Exclusively for preserving, purifying, and beautifying the skin, for cleansing the scalp of dandruff, and sooths red, rough, and sore hands, in the form of baths for annoying irritations, inflammations and chafings, or too free or offensive perspiration, in the form of washes for decorative purposes, or for many sanative antiseptic purposes which readily suggest themselves to women, and are used for the skin, hair, and nursery. No amount of persuasion can induce those who have once used it to use any other, especially for preserving and purifying the skin, scalp, and hair of infants and children. CUTICURA SOAP combines delicate emollient properties derived from CUTICURA, the great skin care, with the power of cleansing ingredients and the most refreshing of flower odours. No other medicated soap ever compounded is to be compared with it for preserving, purifying, and beautifying the skin, scalp, hair, and hands. No other foreign or domestic toilet soap, however expensive, is to be compared with it for all the purposes of the toilet, bath and nursery. Thus it combines in ONE SOAP at ONE PRICE, the BEST skin and complexion soap, the BEST toilet and BEST baby soap in the world. Sold throughout the world. "All about the Skin," post free of A. G. Depot: R. TOWNS & CO., Sydney, N. S. W. So. African Depot: LENNON LTD., Cape Town. POTTER DRUG AND CHEM. CO., Sole Prop., Boston, U. S. A.

Good Printing



TO SAVE THE ISLAND FISH

National Fish Commissioner Sends Suggestions to Governor.

It becomes more and more apparent, day by day, that the administration at Washington is going to take a kind of working interest in Hawaii that will result in the highest possible development of those resources of the Territory whose care can properly be fostered by the National government.

Yesterday Governor Carter received from Fish Commissioner George M. Bowers, of the Bureau of Fisheries of the Department of Commerce and Labor, the letter which follows herewith:

"Hon. George R. Carter, Governor of the Territory of Hawaii, Sir:—Mr. John N. Cobb, who as a member of the party from this Bureau which investigated the fish and fisheries of the Hawaiian Islands in 1901, had charge of the commercial inquiries, and made a second canvass of those fisheries during the present year, has called attention to the urgent need for certain changes in the present fishery laws of the Territory so that commercial fisheries, which are at present quite valuable, may be preserved. He refers particularly to the use of fine meshed nets, by means of which many small and immature fishes are needlessly destroyed."

As you requested of him to be advised of any changes in the present Territorial laws which the investigation might indicate as desirable, I cannot do better than to repeat the suggestions contained in the preliminary report of Messrs. Jordan and Evermann upon the 1901 investigation, as follows:

"The size of the meshes of seines should be limited. No seines with a mesh less than 3 inches in extension should be used. An exception may be made which will allow the use of seines not exceeding thirty feet in length and with mesh no. under three-eighths inch in extension for the purpose of taking bait."

"The capture or taking in any manner whatever, or the selling, offering for sale, or having in possession any amaama, weke, moana, kumu or nunu, or other fish of the family Mullidae of less than eight inches in length should be prohibited."

"The minimum size for the ulua and related species of the family Carangidae should be twelve inches."

"The minimum size limit for all species other than those specifically mentioned above should be five inches."

"The amama or mullet is of great importance in the Islands of Molokai and Oahu, and in order to properly conserve the supply the catching of them during their spawning season should be prohibited. Their principal spawning season is from the latter part of October to the early part of February."

"The selling of female ulua (locally known as lobster) when carrying eggs should be strictly prohibited. While there is no present sign of a decrease in the supply of this crustacean, it is better to start now than when it is too late."

"As the waters of Pearl Harbor seem to be favorably adapted to the raising of oysters it would be well if this industry could be established and fostered by the passage of a law permitting the leasing of small plots of land under water, adjacent to the shores, for the purpose of planting and raising oysters."

"An efficient force of fish wardens should also be provided for in order to see that the laws are properly enforced."

"It is also recommended that the native birds of the islands should be preserved."

GEORGE M. BOWERS."

FUTURE SPANISH KINGS.

The Infanta Eulalia of Spain, who made so agreeable an impression when she visited this country on the occasion of the Columbian exposition at Chicago, with her pretty coquetry and the insignificance of her husband counted in, has determined to bring up her two sons, Alfonso, and Luis, not in Spain, but where they may learn quite different things from those that priest-ridden country can teach. They have been for six years at Beaumont college near Windsor, Roman Catholic Eton, as it were; and now she has sent them to Heidelberg university.

The boys are now respectively 18 and 16 years old, and trained in British and German athletics, they are better men than Spain could turn out with its still medieval methods. If either of them should succeed to the crown of Spain—and that is quite possible—there might be a great improvement in Spanish monarchy. Though, after all, the queen regent, during the minority of King Alfonso, has given a fair example of regnant geniuses.

THE NEW FRENCH REMEDY.

TERAPION.

This successful and popular remedy, used in the Continental Hospitals by Remond, Rosan, Diderot, Velpeau, and others, combines all the moderate to be sought in a medicine of the kind, and surpasses everything hitherto employed.

TERAPION NO. 1 maintains its world-renowned and well-merited reputation for the removal of the kidneys, pains in the back, all kind of aliments, affording prompt relief where other well-tried remedies have been powerless.

TERAPION NO. 2 for impurity of the blood, scurvy, pimples, spots, blotches, pains in the joints, gout, rheumatism, and all diseases for which it is necessary to have a foment to employ mercury, sarsaparilla, etc., to the destruction of sufferer's teeth and ruin of health. This preparation purifies the whole system through the blood, and thoroughly eliminates all poisons from the body.

TERAPION NO. 3 for exhaustion, sleepiness, and all distressing consequences of dissipation, worry, overwork, etc. It possesses astringent power in restoring strength and vigor to those suffering from the deteriorating influences of long residence in hot, unhealthy climates.

TERAPION is sold by the principal Chemists and Merchants throughout the world. Price 10c. per bottle. It is sold in bottles, which number is required, and observe that the word "Terapión" appears on the British Government Stamp (the white letters or a red ground) affixed to every genuine package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

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